

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

KYLE T. MAXEY,
Petitioner,

v.

J. STREEVAL,
Respondent.

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Case No. 7:22-cv-00501

By: Michael F. Urbanski
Chief United States District Judge

MEMORANDUM OPINION

Kyle T. Maxey, a federal inmate proceeding pro se, filed this action as a petition for writ of habeas corpus under 28 U.S.C. § 2241. By order entered September 16, 2022, the court directed Maxey to submit certain financial information within twenty-one days in order to obtain authorization to proceed without prepayment of the filing fee. See ECF No. 3. The order expressly warned Maxey that failure to submit the requested information would result in the dismissal of this action without prejudice.

As of this date, Maxey has not paid the filing fee or provided the requested financial information. He has not complied with the court's order, and the time for doing so has expired. Accordingly, the court will dismiss the action without prejudice. See Ballard v. Carlson, 882 F.2d 93, 95 (4th Cir. 1989) (recognizing that courts have "the power to order dismissal of an action for failure to comply with court orders"). An appropriate order will be entered.

Entered: November 14, 2022



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Urbanski Chief U.S.
District Judge
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Michael F. Urbanski
Chief United States District Judge